



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 10 West 15th Street, Suite 3200
HELENA, MONTANA 59626**

Ref: 8MO

August 16, 2012

Mr. David Myers
Beaverhead-Deerlodge National Forest
420 Barrett Street
Dillon, MT 59725

Re: CEQ # 20120236; Beaverhead-Deerlodge National Forest
Land and Resource Management Plan Draft Supplemental
EIS to Comply with District of Montana Court Order

Dear Mr. Myers:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for the Beaverhead-Deerlodge National Forest's Land and Resource Management Plan to Comply with District of Montana Court Order in accordance with EPA responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document.

The DSEIS responds to an April 2, 2012 U.S. District Court of Montana Order finding that the Forest Service failed to show it adequately applied the Executive Order 11644 ("Use of Off Road Vehicles on the Public Lands") minimization criteria at the route-specific level. The DSEIS evaluates potential effects relevant to application of minimization criteria mandated by E.O. 11644 at the route-specific level for three snowmobile routes specifically designated in the Forest Plan as exceptions to winter, non-motorized areas. The court remanded the Plan to the Forest Service for the limited purpose of applying the minimization criteria mandated by E.O. 11644 at the route specific level. The three snowmobile routes designated in the Forest Plan as exceptions to winter, non-motorized areas are as follows:

Snowmobile use through the Electric Peak area near Thunderbolt Creek and Cottonwood Lake (Jefferson County, Montana);

Snowmobile use through the non-motorized area on the Road #056 corridor in the vicinity of Antelope Basin (Beaverhead County, Montana); and

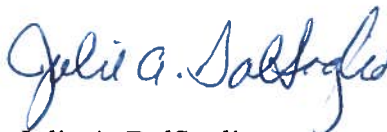
Snowmobile use on the route to Antone Cabin in the southwest portion of the Snowcrest Mountains (Beaverhead County, Montana).

The DSEIS discloses that snowmobile use along these three routes are unlikely to exceed National Ambient Air Quality or Montana Air Quality Standards, and nuisance air pollutant emissions will be localized and temporary. It also states that impacts to soil and vegetation are buffered by snow, and that water quality degradation from human waste and petroleum products will not occur along these specified routes since areas of concentrated use are not located along the routes. Routes on Road #056 and the road to Antone Cabin are open to highway vehicles. In addition the DSEIS states that use of the routes by snowmobiles does not alter wildlife habitat and the potential for wildlife disturbances are limited, including impacts to the threatened grizzly bear. Conflicts with recreationists using the adjacent winter, non-motorized areas are also stated to be limited, and most use of these routes by cross country skis and snowshoe recreationists is limited by distance from plowed parking areas. The DSEIS also indicates that the 2009 Forest Plan increased non-motorized winter allocations across the Forest (i.e., from 6% to 39%), and increased the forest-wide percent of big game winter range closed to motorized use from 26% to 43%.

Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the DSEIS has been rated as Category LO (Lack of Objections). The EPA has not identified potential environmental impacts associated with these snowmobile route designations that require substantive changes to the proposal, although there may be opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal. A copy of EPA's rating criteria is attached.

The EPA appreciates the opportunity to review and comment on the DSEIS. If you have any questions please contact Mr. Steve Potts of my staff in Missoula at 406-329-3313 or in Helena at 406-457-5022 or via e-mail at potts.stephen@epa.gov. Thank you for your consideration.

Sincerely,



Julie A. DalSoglio
Director
Montana Office

Cc: Suzanne Bohan/Judy Roos, EPA 8EPR-N, Denver

Enclosure

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

